**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION NO.10294 OF 2006

DATED 26TH SEPTEMBER, 2006

BETWEEN:

A.V.V.Nagaratna Jyothi

… Petitioner

AND

The District Collector, Eluru, West Godavari District and others.

… Respondents

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**ORDER:**

The petitioner is resident of Doddipatla village, Elamanchali Mandal in West Godavari District. He is allegedly owner of land admeasuring Acs.3.81 cents in survey Nos.215 and 216 situated in the said village. He alleges that the third respondent inspected the petitioner's land and identified the same for providing house sites to the landless poor. According to the petitioner, without initiating any steps under the Land Acquisition Act, 1894, the third respondent is taking steps to dispossess him. Therefore, the present writ petition is filed seeking a direction to respondents not to evict the petitioner without following due process of law.

Learned counsel for the petitioner contends that even if the land of the petitioner is required for the distribution purpose, unless and until due process is followed by the respondents, the petitioner cannot be evicted. This legal position is not denied. Be that as it is, the learned Assistant Government Pleader for Revenue (General), after getting instructions, submits that the writ petition is filed on mere apprehension and there are no proposals to take the land of the petitioner for providing house sites to the landless poor. He also

submits that as and when the land is required, appropriate due process of law will be followed. Recording the same, the writ petition is disposed of.

The writ petition is accordingly disposed of. No costs.

**(V.V.S.RAO,J)**

26.09.2006
pln